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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,912	06/15/2001	Youichiro Nishikawa	265/109	8374

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EXAMINER

ENGLAND, DAVID E

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/881,912		Applicant(s) NISHIKAWA ET AL.	
Examiner David E. England		Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 1 – 15 are presented for examination.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “vice versa” in regards to transforming form second information format to first information format must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1 – 6, 8 – 11 and 13 – 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5. The limitation of “vice versa” as it is assumed that the Applicant means for once a first information format is transformed to a second information format, the second information format can be transformed back into the first information format, is not disclosed in the specification not is it disclosed as to how this is done.

6. Claims 2 – 4, 6, 9 – 11 and 13 – 15 are rejected for their at least one dependency on claims 1, 5 and 8.

Claim Rejections - 35 USC § 102

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7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1 – 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito et al.

U.S. Patent No. 6523696 (hereinafter Saito).

9. Referencing claim 1, as closely interpreted by the Examiner, Saito teaches a network system comprising:

10. a plurality of independent system networks which are designed on different protocols, (e.g. col. 18, line 45 – col. 19, line 26);

11. a plurality of independent system network servers, each server controlling one of the independent system networks, (e.g. col. 18, line 45 – col. 19, line 26);

12. a backbone system network which interconnects the servers, (e.g. col. 18, lines 45 – 56, “*public network 202*”);

13. wherein each of the servers comprises:

14. a communication unit which communicates with other servers via the backbone system network, (e.g. col. 18, lines 45 – 56, “*public network 202*”); and

15. a format transformer which transforms a first information format to a second information format and vice versa, the first format being used for managing appliances included in an

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independent system network which is controlled by the server, and the second format being used for exchanging information with other servers, (e.g. col. 30, line 52 – col. 31, line 15); and

16. wherein the first format is defined for a specific appliance existent within said independent system network and the second format is defined for an unspecified appliance existent within said independent system network, (e.g. Figures 28 and 29, col. 2, lines 32 – 63, col. 16, lines 15 – 29, col. 33, lines 26 – 37 & col. 34, lines 1 – 35).

17. Referencing claim 2, as closely interpreted by the Examiner, Saito teaches the second format is defined in such a manner that the format is universal within the said independent system network, and wherein the format transformer, in conduction transformation, refers to a table describing correspondence between the second format universal within the said independent system network and another second format universal within another independent system network, (e.g. col. 30, line 52 – col. 31, line 15).

18. Referencing claim 3, as closely interpreted by the Examiner, Saito teaches a command generator which transforms a file in the first format describing how an appliance should be controlled into a command dedicated to the appliance, and which sends the command to the appliance, wherein the file in the first format is obtained by transforming a file in the second format, (e.g. col. 30, line 52 – col. 31, line 15).

19. Referencing claim 6, as closely interpreted by the Examiner, Saito teaches an appliance selector which selects an appliance to be controlled, (e.g. col. 34, lines 12 – 35); and

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20. an information exchange file generator which generates a file describing how the selected appliance should be controlled in the second format, if the selected appliance is not existent within the independent system network the server controls and which sends the generated file to outside, (e.g. col. 34, lines 22 – 62, Figures 28 – 33).

21. Claims 4, 5 and 7 – 12 are rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 13 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito as applied to claim 1 above, and in view of Aua et al. (US2002/0069296) (hereinafter Aua).

24. As per claim 13, as closely interpreted by the Examiner, Saito does not specifically teach said first format is built on a markup language. Aua teaches said first format is built on a markup language, (e.g. ¶ 0020). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Aua with Saito because it would be more efficient for a

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system to be more diversely applicable if it can convert its format language to a language that can be understood by other appliances, (i.e. converting XML to HTML or WML).

25. As per claim 14, as closely interpreted by the Examiner, Saito does not specifically teach said second format is built on a markup language. Aua teaches said second format is built on a markup language, (e.g. ¶ 0020). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Aua with Saito because of similar reasons stated above.

26. As per claim 15, as closely interpreted by the Examiner, Saito does not specifically teach said second format adopts a universal tag structure. Aua teaches said second format adopts a universal tag structure, (e.g. ¶ 0020). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Aua with Saito because of similar reasons stated above.

Response to Arguments

27. Applicant's arguments with respect to claims 1 – 15 have been considered but are moot in view of the new ground(s) of rejection.

28. It is advised to the Applicant to contact the Examiner for a telephonic interview to discuss claim amendments to further bring out the true essence of the invention which could overcome the prior art as listed.

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

30. a. Bednowitz U.S. Patent No. 5379376 discloses Bi-directional graphics attribute conversion Profile.

31. b. Humpleman et al. U.S. Patent No. 6546419 discloses Method and apparatus for user and device command and control in a network.

32. c. Miyazawa et al. U.S. Patent No. 6145009 discloses Event controlling system for integrating different event driven systems.

33. d. Kawaguchi et al. U.S. Patent No. 6738801 discloses Master server facilitating communication between slave servers in incompatible data formats, and method for upgrading slave servers.

34. e. Kerchner U.S. Patent No. 6559882 discloses Domestic appliance.

35. f. Glitho U.S. Patent No. 5870565 discloses Telecommunications management network connected to a common channel signaling network.

36. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

De



**WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER**